

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DONATE DEGREE,

Petitioner,

21 CIVIL 11012 (CS)(JCM)

-against-

JUDGMENT

JOSEPH COREY, SUPERINTENDENT,

Respondent.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated May 02, 2024, the Report and Recommendation (the "R&R") is adopted as the decision of the Court. The Petition is dismissed. As the Petition makes no substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. § 2253(c)(2). The judgment entered on February 15, 2024, (ECF No. 37), is vacated pursuant to Rule 60(b)(6).

Dated: New York, New York

May 03, 2024

RUBY J. KRAJICK

Clerk of Court

BY:

Negam Dubel

Deputy Clerk